

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JOHN RUFFINO and MARTHA RUFFINO,  
Husband and Wife,

Plaintiffs,

DR. CLARK ARCHER and HCA  
HEALTH SERVICES OF TENNESSEE, INC.  
d/b/a STONECREST MEDICAL CENTER,

Defendants.

)  
)  
)  
)  
) Civil Action No.  
) 3:17-cv-00725  
)  
) Jury Demand  
) Judge Crenshaw  
) Magistrate Judge  
) Newbern  
)

VIDEO DEPOSITION OF JOHN RUFFINO

OCTOBER 24, 2017

The video deposition of JOHN RUFFINO was taken pursuant to  
Notice on the 24th day of October, 2017, beginning at 9:57  
a.m., at the Wingfield Inn, 1101 Housman Street, Mayfield,  
Kentucky; said video deposition was taken for any and all  
purposes permitted by law.



1 APPEARANCES: Brian Cummings  
2 CUMMINGS MANOOKIAN, PLC  
3 45 Music Square West  
4 Nashville, Tennessee 37203  
5 ATTORNEY FOR PLAINTIFFS  
6  
7 C.J. Gideon, Jr.  
8 J. Blake Carter  
9 GIDEON, COOPER & ESSARY, PLC  
10 315 Deaderick Street, Suite 1100  
11 Nashville, Tennessee 37238  
12 ATTORNEYS FOR HCA HEALTH SERVICES OF  
13 TENNESSEE, INC. d/b/a STONECREST  
14 MEDICAL CENTER  
15  
16 Nate Gorman  
17 HALL BOOTH SMITH, P.C.  
18 424 Church Street  
19 Suite 2950  
20 Nashville, Tennessee 37219  
21 ATTORNEY FOR CLARK ARCHER, M.D.  
22  
23 ALSO PRESENT: Martha Ruffino  
24 PLAINTIFF  
25  
26 Nathan Belcher  
27 VIDEOGRAPHER/OHIO VALLEY REPORTING

1 Efobi?

2 A I think I said my - - I had symptoms,  
3 symptoms of the - - symptoms of shortness of - - short - -  
4 small, what they call small - -

5 Q Stroke? Mini stroke?

6 A Mini strokes.

7 Q Okay. Well, what kind of symptoms of mini  
8 stroke were you having that you shared with Dr. Luck?

9 A The arm, and I felt dizziness.

10 Q And what about the arm; other than the  
11 heaviness you've told me, did you notice any other  
12 symptoms that you shared with Dr. Luck?

13 A No.

14 Q How long had the mini strokes then been  
15 going on before you first told Dr. Luck about dizziness  
16 and the right arm feeling very heavy?

17 A Say that again.

18 Q Yes. From the time you had your first  
19 right arm heaviness and dizziness, how much time was it  
20 before you saw Dr. Luck and reported to him what was going  
21 on?

22 A I don't know.

23 Q Okay. Tell me what Dr. Efobi then shared  
24 with you, if anything, at the end of that first visit with  
25 her. What did she tell you?



1 A Nothing.

2 Q Nothing. Now, were you smoking at the  
3 time?

4 A Yes.

5 Q How much?

6 A Two packs a day.

7 Q Did she not tell you that you absolutely  
8 had to stop smoking because of your stroke risk?

9 A No.

10 Q She didn't?

11 A No.

12 Q You sure of that?

13 A Yes.

14 Q Did she say that she had diagnosed you with  
15 seizures?

16 A That first time?

17 Q Yes, sir.

18 A No.

19 Q Did she diagnose you with seizures at the  
20 second visit?

21 A No.

22 Q Did she ever diagnose you with seizures?

23 A Yes.

24 Q When?

25 A The last time I saw her.



1 Q Who's Kenneth Gunn?

2 A He's a guy that worked with me.

3 Q Right. So he also worked for JTA  
4 Transport, didn't he?

5 A Yeah. Yeah.

6 Q Why would Kenneth Gunn be calling you at  
7 5:52 in the morning?

8 A I don't know.

9 Q You didn't drive together, did you?

10 A No.

11 Q Now, if you'll look there, there is a call  
12 from Kenneth Gunn at 5:52, 870-530-6372. And then the  
13 next call is incoming at 6:08 in the morning from the  
14 number 347-804-2984. That's Joe Maroney, isn't it?

15 A I don't know.

16 Q Who's Joe Maroney?

17 A A guy I worked with.

18 Q Why would Kenneth Gunn and Joe Maroney be  
19 calling you between 5:52 and 6:08 in the morning on  
20 February 16 - excuse me - February 17, 2016?

21 A Joe Maroney, I had to - - I was training  
22 him and he was starting at - - he was starting his job and  
23 he would call me if there was something he needed.

24 Q Call you for advice or instructions?

25 A Yeah. Yeah.



1 Q Do you recognize this number now of  
2 347-804-2984 as Joe Maroney's number?

3 A I don't know.

4 Q You don't recall his number?

5 A Yeah.

6 Q You do know that you were working with a  
7 man named Joe Maroney?

8 A Yeah.

9 Q You'll notice that there are - - there's  
10 one at 6:08; there's one at 6:13; there's one at 6:42; and  
11 there's one at 6:44, all the same number.

12 A Uh-huh.

13 Q Do you see that?

14 A Yeah.

15 Q Do you recall having a series of calls or a  
16 discussion with Mr. Maroney that morning?

17 A At 6:44, yeah.

18 Q What happened at 6:44?

19 A I probably told him what he had to do.

20 Q I understood from what you told me earlier  
21 that your work day began at 7:00?

22 A Yeah, but I'm not sure.

23 Q Is it possible your work day actually began  
24 at 6:00? Because you got a call at 5:52 from Kenneth Gunn  
25 and then a series of phone calls, beginning 6:08, 6:11,



1 6:42, and 6:44, from Joe Maroney. Did your work schedule  
2 actually begin at 6:00, Mr. Ruffino?

3 A Yeah. That's possible. Yeah.

4 Q All right. Were you having any kind of  
5 mini-stroke when you got up that morning?

6 A No.

7 Q How did your right arm feel that morning?

8 A Felt fine.

9 Q Felt good?

10 A Yeah.

11 Q How about your right leg?

12 A I didn't feel a thing.

13 Q Didn't feel a thing.

14 What time of the day did you first notice that  
15 you were having any dizziness that day?

16 A 8:30.

17 Q 8:30 in the morning?

18 A Yeah. 8:00 or 8:30.

19 Q Which one was it; 8:00 or 8:30?

20 A 8:30.

21 Q And where were you when you first noticed  
22 that you had some dizziness?

23 A I was at - - I didn't notice it. I was  
24 told by a guy that works at the Smyrna store, Smyrna Home  
25 Depot.

1 Q A guy at the Smyrna Home Depot told you you  
2 were dizzy?

3 A Yeah. He said that - - he said that I  
4 looked funny or weird or something.

5 Q Okay. Well, that to me is a little  
6 different than you feeling dizzy. My question was, when  
7 is the first time on the morning of February 17, 2016 that  
8 you felt any dizziness? What time was that?

9 A I'm not sure.

10 Q Where were you when you first felt any  
11 dizziness?

12 A I was leaving the store and driving away.

13 Q Leaving the Home Depot store?

14 A Yeah.

15 Q In Smyrna?

16 A Yeah.

17 Q Okay. Now, did you tell me that your  
18 company tracked your movements?

19 A Yeah.

20 Q So they would know when you were leaving  
21 the Smyrna Home Depot, wouldn't they?

22 A Yeah.

23 Q Can you tell me about what time it was that  
24 you were leaving the Smyrna Home Depot?

25 A 8:00, 8:30.





1 Q 8:00 to 8:30. Okay.

2 In addition to you feeling some dizziness,  
3 somebody told you that your face looked odd or weird?

4 A Yeah.

5 Q And you pointed to the right side of your  
6 face.

7 A Yeah.

8 Q What did this person tell you?

9 A He didn't say anything. He just said, "You  
10 don't look right."

11 Q "You don't look right"?

12 A Yeah.

13 Q Did you feel anything, perceive anything  
14 when he said, "You don't look right"?

15 A No.

16 Q Did you feel like you were drooling out of  
17 -

18 A No.

19 Q - that side of -

20 A No.

21 Q - your mouth?

22 A No.

23 Q Did you feel like you couldn't speak  
24 correctly?

25 A No.



1 Q Did you feel anything weird at all  
2 yourself?

3 A Not really.

4 Q Okay. Well, did you say, "Well, thanks for  
5 calling me weird"? Did you say something back to him?

6 A No, I didn't. I just drove off.

7 Q Who is this guy that commented you looked  
8 weird?

9 A He's the guy that - - he's the guy that - -  
10 he's the head of the - - he's the head of - - he's the  
11 head of the - - he's the head of the building supply  
12 department.

13 Q In Smyrna?

14 A Yeah.

15 Q Do you recall what it is that you picked up  
16 at the Smyrna Home Depot that morning?

17 A No.

18 Q What time did you get to the Smyrna Home  
19 Depot that morning?

20 A 7:30.

21 Q Was that the first stop of the day for you?

22 A Yes.

23 Q All right. And you didn't feel any  
24 dizziness until you were leaving?

25 A Yes.



1 A Half an hour.

2 Q And during that half an hour did you smoke  
3 some cigarettes?

4 A No.

5 Q Not one?

6 A No. Not one.

7 Q Why is that?

8 A Because I had - - my cigarettes were in the  
9 truck. I didn't have no cigarette pack.

10 Q In that half an hour did you have any  
11 symptoms, any feelings other than being dizzy?

12 A No.

13 Q Did you feel any heaviness in your right  
14 arm?

15 A No.

16 Q Any heaviness in your right leg?

17 A No.

18 Q Did you think you were talking funny?

19 A No.

20 Q Did you think you looked funny?

21 A No.

22 Q At any time that day, February 17th, did  
23 you ever think you looked funny?

24 A No.

25 Q Did you ever think you'd had heaviness in



1 your right arm?

2 A No.

3 Q Did you ever think you had heaviness in  
4 your right leg?

5 A Yes. No.

6 Q No. Did you ever think that you were  
7 talking funny?

8 A No.

9 Q You just had this dizziness?

10 A Yeah.

11 Q Okay. How many policemen were there in the  
12 Smyrna Police vehicle?

13 A I only remember three.

14 Q Three policemen?

15 A Yeah.

16 Q In this day and time a lot of police  
17 vehicles have those dashboard cameras.

18 A Yeah.

19 Q Do you recall if this vehicle had a  
20 dashboard camera?

21 A No.

22 Q Do you recall them offering you anything,  
23 whether it's water or coffee or a donut or anything, while  
24 they were there?

25 A No.



1 an IV line in your arm?

2 A I don't know.

3 Q Do you recall them doing anything for you  
4 other than driving you in a vehicle somewhere?

5 A Don't recall.

6 Q Do you even recall being in it?

7 A I don't recall.

8 Q You don't recall at all, do you?

9 A Nothing.

10 Q What time did you arrive at StoneCrest  
11 Medical Center?

12 A I don't know.

13 Q Let me ask you some questions before we  
14 leave the morning of February 17. Is it correct that on  
15 the morning of February 17 you had what you recognized to  
16 be dizziness and slurred speech at 8:00 in the morning?

17 A No.

18 Q Not slurred speech but dizziness?

19 A Yeah, dizziness.

20 Q Okay. Is it correct that you had been  
21 having problems with not being able to speak correctly and  
22 facial weakness for a month before February 17, 2016? Is  
23 that true?

24 A No.

25 Q And you've never told anybody that, right?



1 You wouldn't have told somebody something that inaccurate,  
2 would you?

3 A I would have told my wife.

4 Q Do you remember a Dr. Michael Nottidge at  
5 Centennial?

6 A No.

7 Q Did you tell Dr. Nottidge that as you were  
8 getting ready to go to work your wife noted you were not  
9 speaking normally and that you were confused? Did you  
10 ever tell him that?

11 A Who's - - I don't know who the doctor is.

12 Q Do you recall ever telling a doctor at  
13 Centennial, specifically Michael Nottidge or anyone else,  
14 that on the morning of February 17 as you were getting  
15 ready to go to work your wife noted you were not speaking  
16 normally and that you were confused?

17 A No.

18 Q That didn't happen?

19 A No.

20 Q Did you tell Dr. Nottidge that while you  
21 were at work at 8:00 in the morning you had increased  
22 right-sided weakness and an inability to speak? Did you  
23 ever tell him that?

24 A I don't know.

25 Q Why would you tell him that if it wasn't



